

IN THE CLAIMS:

1) (currently amended) A system for peer-to-peer access to a collection of data, comprising:

a. a musicbox comprising:

i. a persistent data store, the persistent data store containing a plurality of individually selectable data files of a predetermined data format, some of the data files being pre-loaded onto the persistent data store;

ii. a data communications interface operatively connected to a data communications network to effect a peer-to-peer network; and

iii. a controller operatively connected to the persistent data store and the data communications interface; and

b. software executing in the musicbox, the software capable of:

i. identifying, without utilizing a central server, other musicboxes executing instances of the software;

ii. allowing peer-to-peer sharing of the data files with the identified other musicboxes, the sharing restricted to the identified other musicboxes having authorization to participate in the peer-to-peer sharing of data files;

iii. securing the data files from unauthorized access;

iv. reproducing the data files into a predetermined perceptible format; and

v. allowing users of the software to manipulate the data files.

2) (original) The system of claim 1 wherein the data files comprise works subject to copyright and workings not subject to copyright.

3) (original) The system of claim 1 wherein the data files comprise at least one of audiovisual works, music recordings, performance recordings, digitized film recordings, digitized video recordings, graphic work images, text, and software.

4) (currently amended) ~~The system of claim 1~~ A system for peer-to-peer access to a collection of data, comprising:

a. a musicbox comprising:

i. a persistent data store, the persistent data store containing a plurality of individually selectable data files of a predetermined data format, some of the data files being pre-loaded onto the persistent data store;

ii. a data communications interface operatively connected to a data communications network to effect a peer-to-peer network; and

iii. a controller operatively connected to the persistent data store and the data communications interface; and

b. software executing in the musicbox, the software capable of:

i. identifying other musicboxes executing instances of the software;

ii. allowing peer-to-peer sharing of the data files with the identified other musicboxes, the sharing restricted to the identified other musicboxes having authorization to participate in the peer-to-peer sharing of data files;

iii. securing the data files from unauthorized access;

iv. reproducing the data files into a predetermined perceptible format; and

v. allowing users of the software to manipulate the data files,

wherein said software is configured to perform said securing files from unauthorized access in step (b) (iii) by selecting from among~~comprises~~ at least the processes~~one of:~~

(1) securing a data file from unauthorized copying; and

(2) securing a data file for authorized access;

~~— (3) securing an predetermined collection of data files from unauthorized copying, and~~

~~— (4) securing an predetermined collection of data files for authorized access.~~

5) (original) The system of claim 1 further comprising an audio-visual interface to

export audio and/or visual data for further reproduction of content within the data files.

6) (original) The system of claim 1 wherein the musicbox is selected from at least one of specialized musicbox devices and personal computers.

7) (currently amended) The system of claim ~~4~~ further comprising a central server to provide registration services, the central server being a peer participant in the peer-to-peer network.

8) (original) The system of claim 1 further comprising an authorization device, comprising at least one of an electronic smart card, a mechanical smart card, and an optical key smart card.

9) (original) A method of distributing data files for a system of claim 1, comprising:

- a. pre-loading a plurality of data files onto the persistent data store from a larger set of data files;
- b. initializing access of the system to a peer-to-peer network;
- c. identifying other systems available on the peer-to-peer network;
- d. determining which of the data files on the other identified systems are not present on the persistent data store;
- e. identifying the plurality of data files on the persistent data store to the other identified systems;
- f. allowing a user to catalog the data files available on the identified systems;
- g. allowing the user to select a data file from the plurality of data files identified on the peer-to-peer network; and
- h. allowing the user to render the data files into a desired perceptible format.

10) (original) The method of claim 9 further comprising requiring a user to log

into the peer-to-peer network and presenting a user interface to the user appropriate to allow the user to select one or more categories of data files available from a larger set of such categories.

11) (original) The method of claim 9 further comprising requiring access by the musicbox to the peer-to-peer network on a predetermined periodic basis.

12) (original) The method of claim 9 further comprising allowing user to purchase a data file for permanent access, the permanent access comprising downloading the data file onto a storage medium of the user's choice.

13) (currently amended) ~~The method of claim 9~~ A method of distributing data files for a system for peer-to-peer access to a collection of data, said system comprising:

a. a musicbox comprising:

i. a persistent data store, the persistent data store containing a plurality of individually selectable data files of a predetermined data format, some of the data files being pre-loaded onto the persistent data store;

ii. a data communications interface operatively connected to a data communications network to effect a peer-to-peer network; and

iii. a controller operatively connected to the persistent data store and the data communications interface; and

b. software executing in the musicbox, the software capable of:

i. identifying, without utilizing a central server, other musicboxes executing instances of the software;

ii. allowing peer-to-peer sharing of the data files with the identified other musicboxes, the sharing restricted to the identified other musicboxes having authorization to participate in the peer-to-peer sharing of data files;

iii. securing the data files from unauthorized access;

iv. reproducing the data files into a predetermined perceptible format; and

v. allowing users of the software to manipulate the data files.

_____ wherein said method comprises:
_____ a. pre-loading a plurality of data files onto the persistent data store from a larger set of data files;
_____ b. initializing access of the system to a peer-to-peer network;
_____ c. identifying other systems available on the peer-to-peer network;
_____ d. determining which of the data files on the other identified systems are not present on the persistent data store;
_____ e. identifying the plurality of data files on the persistent data store to the other identified systems;
_____ f. allowing a user to catalog the data files available on the identified systems;
_____ g. allowing the user to select a data file from the plurality of data files identified on the peer-to-peer network; and
_____ h. allowing the user to render the data files into a desired perceptible format.
_____ wherein method step (b) further comprises limiting a user to at least one of a read-only or transient access mode.

14) (original) The method of claim 9, wherein step (b) further comprises:
i. requiring the user to obtain a subscription;
ii. registering the user once the subscription is obtained; and
iii. collecting and distributing appropriate royalties to content creators at least partially based on the user's subscription.

15) (original) The method of claim 14 wherein the subscription comprises at least one of monthly fees, pre-paid content purchase, and per unit of content purchase.

16) (currently amended) ~~The method of claim 9~~ A method of distributing data files for a system for peer-to-peer access to a collection of data, said system comprising:

a. a musicbox comprising:

 i. a persistent data store, the persistent data store containing a plurality of individually selectable data files of a predetermined data format, some of the data files being pre-loaded onto the persistent data store;

 ii. a data communications interface operatively connected to a data communications network to effect a peer-to-peer network; and

 iii. a controller operatively connected to the persistent data store and the data communications interface; and

 b. software executing in the musicbox, the software capable of:

 i. identifying, without utilizing a central server, other musicboxes executing instances of the software;

 ii. allowing peer-to-peer sharing of the data files with the identified other musicboxes, the sharing restricted to the identified other musicboxes having authorization to participate in the peer-to-peer sharing of data files;

 iii. securing the data files from unauthorized access;

 iv. reproducing the data files into a predetermined perceptible format; and

 v. allowing users of the software to manipulate the data files,
 wherein said method comprises:

 a. pre-loading a plurality of data files onto the persistent data store from a larger set of data files;

 b. initializing access of the system to a peer-to-peer network;

 c. identifying other systems available on the peer-to-peer network;

 d. determining which of the data files on the other identified systems are not present on the persistent data store;

 e. identifying the plurality of data files on the persistent data store to the other identified systems;

 f. allowing a user to catalog the data files available on the identified systems;

_____ g. allowing the user to select a data file from the plurality of data files identified on the peer-to-peer network; and

_____ h. allowing the user to render the data files into a desired perceptible format;

_____ wherein method step (b) further comprises accessing a central server to accomplish the initializing of access to the peer-to-peer network, the central server being a peer participant in the peer-to-peer network.

17) (original) The method of claim 9 wherein step (c) further comprises at least one of identifying a musicbox to a central server, indentifying a musicbox to other participants in the peer-to-peer network by broadcasting an identity of the musicbox to the other participants in the peer-to-peer network, and indentifying a musicbox to other participants in the peer-to-peer network by pinging for an identity of the other participants in the peer-to-peer network.

18) (original) The method of claim 9 wherein step (e) further comprises programmatically providing one or more participants in the peer-to-peer network with a description of content available at a musicbox to allow users to scout for desired content.

19) (original) The method of claim 9 further comprising:

a. gathering data of the user's usage of the musicbox into a user data profile;

b. making the user data profile available to a content provider.

20) (original) The method of claim 19, further comprising using the user data profile by a provider of data files to generate messages targeted to the user based where the targeted messages comprise at least one of advertisements, announcements, and samples of further data similar to that in the profile data.

21) (currently amended) A system for peer-to-peer access to a collection of data, comprising:

a. means for storing persistent data, the persistent data comprising a plurality of data files of a predetermined data format, the data files further secured from unauthorized access;

b. means for data communications, operatively connected to the means for storing persistent data; and

c. means for accessing the persistent data, operatively in communication with the means for storing persistent data and the means for data communications, capable of:

i. identifying, without utilizing a central server, other systems executing the means for accessing the persistent data;

ii. allowing peer-to-peer sharing of the persistent data with the identified other systems, the sharing restricted to the identified other systems; and

iii. allowing users of the means for accessing the persistent data to manipulate the persistent data.

22. (new) The system of claim 21, wherein said identifying comprises:
detecting whether the other system is executing an instance of software that allows and restricts peer-to-peer sharing of the plural data files; and
identifying said other system as not being a peer if it is detected that said other system is not executing said instance.

23. (new) The system of claim 21, wherein said system does not include a central server.

24. (new) The system of claim 1, wherein said identifying comprises:
detecting whether a given musicbox of said other musicboxes is executing said software; and
identifying said given musicbox as not being a peer if it is detected that said given musicbox is not executing an instance of said software.

25. (new) The system of claim 1, wherein said system does not include a central server.

26. (new) The system of claim 4, wherein said processes further include:
- (3) securing a predetermined collection of data files from unauthorized copying, and
 - (4) securing a predetermined collection of data files for authorized access.